

**Present: Sri Dev Kumar Sukul (JO Code: WB00766)**  
**Judge, Commercial Court at Alipore**  
**Money Suit 20 of 2022**  
**CNR No: WBSP18-000064-2022**

Order No. 06  
29.09.2022

In the matter of :  
Suit for recovery of  
money valued at  
Rs.13,82,04,932/-.

And

In the matter of :  
Grandeur Infratech Pvt.  
Ltd.

Vs.

In the matter of :  
LTB Infra Consultants Pvt.  
Ltd. & 04 ors.

**ORDERED**

Today is fixed for hearing of the show cause application being I.A. no. 04/2022 and also for filing objection by the Defendants, if any to the application under Order XXXVIII Rule 5 read with Section 151 of CPC being I.A. No. 02 of 2022 and rejoinder by the Plaintiff to the objection against the application under Order XXXVIII Rule 5 Read with section 151 of CPC 03/2022 and also for filing written objection to the application under Order VII Rule 11 of Code of Civil Procedure, 1908, being I. A no. 05 of 2022\_ by the Plaintiff also for appearance of the Defendants.

Plaintiff and Defendant no. 3 file haziras.

In compliance to order dated 24.08.2022, Defendant no. 3 served copies of the application under Order VII Rule 11 of Code of Civil Procedure, 1908 being I.A. no. 05/2022 and also under Order XXXVIII Rule 5 Read with section 151 of CPC 03/2022 upon the Plaintiff. Objected to.

Plaintiff also served copy of I.A. no. 02/2022 upon Defendant no. 3 in open Court.

**I.A. no. 06/2022**

At this stage, Defendant no. 3 further files an application under Section 151 CPC praying for rejection of the instant suit with cost or

alternatively for a direction of extension of time to file written statement.  
Copy served via Email. The same be registered as **I.A. no. 06/2022.**

*Heard. Considered.*

*It appears from the record that the Annexure-P-10 (Pages-39-47) of the plaint is illegible.*

*Accordingly, Plaintiff is directed to furnish the legible copy of the said Annexure-P-10 (Pages-39-47) of the plaint before this Court on the next date fixed and Plaintiff is also directed to serve a copy of the same upon the Defendant no. 3 within 7 days via any accepted mode of service and to file a proof of service on the next date fixed positively.*

*As such the instant application under Section 151 CPC being I.A. 06/2022 as filed by the Defendant no. 3 becomes infructuous.*

***Hence, the instant I.A. no. 06/2022 is hereby disposed off as being rejected.***

**I.A. no. 04/2022**

*At this stage, the instant show cause application as filed on behalf of the Plaintiff is taken up for hearing.*

*Heard. Considered.*

*It appears from the record that Plaintiff did not comply with the order dated 16.06.2022 and accordingly, vide order dated 04.07.2022, Plaintiff was directed to show cause regarding 11 days delay in service of summons upon the Defendants.*

*Ld. Counsel for the Plaintiff submitted that the the conducting lawyer was suffering from severe cough and cold and was also in isolation during the said period and accordingly, he was unable to comply with the order dated 16.06.2022 and he only recovered after 11 days and accordingly, he served the summons after 11 days delay.*

***On perusal of the instant application as well as submissions of both sides, the instant show cause application as filed by the Plaintiff is hereby considered and allowed but subject to payment of cost of Rs.1,000/- to the Defendant no. 3.***

***Hence, I.A. no. 04/2022 is disposed off.***

*Due to intervention of Puja Vacation, fix 22.11.2022 at 1.30 p.m. for filing objection by the Defendants, if any, to the application under Order XXXVIII Rule 5 read with Section 151 of CPC being **I.A. No. 02 of 2022.***

***To date** also for filing written objection to the application under Order VII Rule 11 of Code of Civil Procedure, 1908, being I. A no. **05 of 2022** by the Plaintiff and rejoinder against the written objection in respect of **I.A. No. 03 of 2022** under Order XXXVIII Rule 5 read with Section 151 of the Code of Civil Procedure, 1908.*

***To date** also for appearance of the remaining Defendants.*

***Written Statement within statutory period.***

*Both parties are to act on the basis of the downloaded copy of the Order Sheet from the website / E-court App.*

Dictated & corrected by me,



Judge, Commercial Court at Alipore  
For districts of South 24 Parganas, Purba Medinipur,  
Paschim Medinipur & Jhargram

**JUDGE**  
**COMMERCIAL COURT AT ALIPORE**



Judge, Commercial Court at Alipore  
For districts of South 24 Parganas, Purba Medinipur,  
Paschim Medinipur & Jhargram

**JUDGE**  
**COMMERCIAL COURT AT ALIPORE**

